

Proposed Changes to Pushcart Licenses

Current Ordinance	Starting Concept	Proposed Ordinance
<i>Business Licensing</i>		
Pushcarts currently operate under the same license as itinerant merchants, peddlers, and solicitors.	<p>Pushcarts operations differ significantly from other mobile vendor units, and pose different public safety concerns--from ensuring proper food handling to safe motor vehicle operation.</p> <p>The increase in pushcarts operating in Bloomington lead the city to undertake creating a separate ordinance specifically for pushcarts that would tackle these issues.</p>	The proposed ordinance would apply to pushcarts-- a non-motorized wheeled cart which may be moved by one person and which is designed and used for displaying, keeping or storing any food or beverage for sale by a vendor.
Applicants are required to obtain a temporary use permit to operate on private property	Reduce the number of permits required for people interested in starting pushcarts	Applicants do not need to obtain a temporary use permit to operate on private property
NA	Ensure tax compliance and a level playing field, pushcarts must prove they meet state requirements for business licensing.	Applicants must submit proof their business is registered with the State of Indiana and proof of their Employer ID Number
NA	Residents raised concerns about the noise created from generators used to power pushcarts	Applicants must now provide the manufacturer's specifications on the decibels generated by their generators. Decibels are capped at 60dBA

<p><u>Current Fees:</u></p> <p>One Day License: \$15 Three Day License: \$40 Seven Day License: \$75 Thirty Day License: \$120 Six Month License: \$175 One Year License: \$240</p>	<p>To keep fees consistent and up-to-date with other City fees. The proposed ordinance also includes a new, three month license option.</p>	<p><u>Proposed fees:</u></p> <p>One Day License: \$25 Three Day License: \$30 Seven Day License: \$50 Thirty Day License: \$75 Three Month License: \$150 Six Month License: \$200 One Year License: \$350</p> <p>In addition, all honorably discharged veterans are now exempt from fees</p>
<p><i>Pushcart Locations</i></p>		
<p>Pushcarts are restricted from operating:</p> <ul style="list-style-type: none"> • directly in front of the primary entrance for any retail, office or church • on the same side of the street and within 50 feet of a primary entry way into a retail establishment offering the same type of goods, wares, services, foods, or products • in a street or street median strip 	<p>Clarify the 50 foot restriction, and update location restrictions to improve safety.</p>	<p>Pushcarts are restricted from operating:</p> <ul style="list-style-type: none"> • within fifty feet of any façade or outdoor seating of a ground level establishment that also sells food or beverages. • in a street, street median strip or alleyway • within 10 feet of a fire hydrant • in an intersection or blocking drivers' line of sight • On the B-Line trail except: between the north side of Dodds Street and the south side of 2nd Street; between the north side of 3rd Street and the south side of 4th Street; and between the north side of 6th Street and the south side of Fairview Street.

NA	Cap the number of pushcarts operating within any one zoning district in order to reduce congestion and safety concerns.	<ul style="list-style-type: none"> • No more than twelve pushcarts shall operate in the Courthouse Square District at any one time. • No more than ten pushcarts shall operate in the Kirkwood District at any one time. • No more than ten pushcarts shall operate in the Restaurant Row District at any one time.
NA	Limit commercial activity to areas currently zoned for business and commercial industries.	No pushcart shall locate within any zoning district except the following: Commercial General; Commercial Arterial; Commercial Downtown; Industrial General; Business Park; and Institutional
NA	Let property owners decide whether a pushcart can operate on their property or not. Provide more flexibility to pushcarts to choose operating locations.	<p>Restricts Pushcarts from operating on private property without written permission from property owners.</p> <p>Additionally, they must not displace required parking or landscaping nor block any drives, parking access aisles, fire lanes, sidewalks, or accessible routes.</p>
<i>Parking</i>		
NA	Clarify that pushcarts may not operate in a parking space, but must stay on sidewalk	Pushcarts may not operate in a parking space, but must stay on sidewalk

<i>Hours of operation</i>		
NA	Place time limitations which would require them to move locations in order to address concerns that pushcarts have become semi-permanent.	Restricted from operating or being on public property from 4am to 7:30am. Cannot be left unattended or parked overnight
<i>Signage</i>		
Limited to 1.5 square feet	Increase the 1.5 square foot limit to a size that allows them to effectively advertise.	Allowed to have one sandwich board sign
<i>Trash</i>		
NA	Address concerns of residents and local businesses about increased litter around pushcarts.	Before leaving any location each pushcart unit shall first pick up, remove and dispose of all trash, refuse and/or recyclable materials, including products spilled on the ground within twenty feet of the pushcart unit

Additional Operations Regulations

NA	Tailor regulation to match pushcart operations in order to better protect customers and city residents.	<p>Also required to:</p> <ul style="list-style-type: none">• Obey law enforcement• Install grease traps• Collect and pay sales tax• Comply with lighting and vision clearance standards <p>Restricted from having:</p> <ul style="list-style-type: none">• A drive-through• Customer seating without prior approval• A generator louder than 60dBA
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Additional Safety Regulations

NA	Add regulations on proper food handling or safety within the pushcart	The proposal includes new regulations on the proper storage and handling of food, equipment and utensils, and restrictions on vermin and hazardous materials
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Fines and License Restrictions

Fine of \$500 for operating without a license	Lower initial fines, but create tiered fine system to punish repeat offenders	<p>Fines for the first offense are now \$2,500.</p> <p>New tiered fine structure for repeat offenses: Second offense \$5,000, Third Offense \$7,500</p>
Fine of \$250 for not complying with regulations	Lower initial fines, but create tiered fine system to punish repeat offenders	<p>Fines for the first offense are now \$250.</p> <p>New tiered fine structure for repeat offenses: Second offense \$500, Third Offense \$1,000</p>

NA	<p>Allow city to place cap on licenses if they deem it necessary, and respond to emergencies.</p>	<p>The city can restrict licenses if it would allow more than 50 to operate in the city at a time</p> <p>The city can prohibit the presence of Pushcarts in certain locations if an emergency is declared or if notice is given 72 hours in advance of the location being restricted.</p>
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